

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES R. SWARTZ, JR, et al.,

Plaintiffs,

VS.

MARK A. DICARLO,

Defendant.

CASE NO. 1:12CV3112

JUDGE CHRISTOPHER A. BOYKO

ORDER

This Court has reviewed the Report and Recommendation (Doc.# 130) of Magistrate Judge Kenneth S. McHargh regarding the Motion to Dismiss First Amended “Crossclaim” Against Stephen Komarjanski (Doc.#108). The Magistrate Judge recommended that the Motion to Dismiss be granted and Defendant Mark DiCarlo’s “Crossclaim” be dismissed. Defendant Dicarlo did not file an objection to the Motion or the Report and Recommendation.

FED. R. CIV.P. 72(b) provides that objections to a Report and Recommendation must be filed within fourteen days after service, but Defendant has failed to timely file any such objections. Therefore, the Court must assume that Defendant is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947

(6th Cir.1981).

Therefore, the Court adopts in full the Report and Recommendation (Doc.# 130), and **GRANTS** Third Party Defendant Stephen Komarjanski's Motion to Dismiss First Amended "Crossclaim" Against Stephen Komarjanski.

IT IS SO ORDERED.

Dated: 11/21/2014

S/Christopher A. Boyko
CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE